

111TH CONGRESS  
2D SESSION

# S. CON. RES. 71

Recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

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IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2010

Mr. FEINGOLD (for himself and Ms. COLLINS) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

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## CONCURRENT RESOLUTION

Recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

Whereas, in the aftermath of the Holocaust, the international community vowed “never again” to allow systematic killings on the basis of nationality, ethnicity, race, or religion;

Whereas a number of other genocides and mass atrocities have occurred, both prior to and since that time;

Whereas the United States Government has undertaken many initiatives to ensure that victims of genocide and

mass atrocities are not forgotten, and as a leader in the international community, the United States has committed to work with international partners to prevent genocide and mass atrocities and to help protect civilian populations at risk of such;

Whereas the United Nations General Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide in 1948, which declares genocide, whether committed in a time of peace or in a time of war, a crime under international law, and declares that the parties to the Convention will undertake to prevent and to punish that crime;

Whereas the United States was the first nation to sign the Convention on the Prevention and Punishment of the Crime of Genocide, and the Senate voted to ratify the Convention on the Prevention and Punishment of the Crime of Genocide on February 11, 1986;

Whereas the Act entitled, “An Act to establish the United States Holocaust Memorial Council”, approved October 7, 1980 (Public Law 96–388), established the United States Holocaust Memorial Council to commemorate the Holocaust, establish a memorial museum to the victims, and develop a committee to stimulate worldwide action to prevent or stop future genocides;

Whereas the passage of the Genocide Convention Implementation Act of 1987 (Public Law 100–606), also known as the Proxmire Act, made genocide a crime under United States law;

Whereas, in response to lessons learned from Rwanda and Bosnia, President William J. Clinton established a genocide and mass atrocities early warning system by estab-

lishing an Atrocities Prevention Interagency Working Group, chaired by an Ambassador-at-Large for War Crimes Issues from 1998 to 2000;

Whereas, in 2005, the United States and all other members of the United Nations agreed that the international community has “a responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapter VI and VIII of the United Nations Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity,” and to take direct action if national authorities are unwilling or unable to protect their populations;

Whereas the 2006 National Security Strategy of the United States stated, “The world needs to start honoring a principle that many believe has lost its force in parts of the international community in recent years: genocide must not be tolerated. It is a moral imperative that states take action to prevent and punish genocide. . . . We must refine United States Government efforts—economic, diplomatic, and law-enforcement—so that they target those individuals responsible for genocide and not the innocent citizens they rule.”;

Whereas the United States Holocaust Memorial Museum, the American Academy of Diplomacy, and the United States Institute of Peace convened a Genocide Prevention Task Force, co-chaired by former Secretary of State Madeleine Albright and former Secretary of Defense William Cohen, to explore how the United States Government could better respond to threats of genocide and mass atrocities;

Whereas the final report of the Genocide Prevention Task Force, released in December 2008, concluded that the lack of an overarching policy framework or a standing

interagency process, as well as insufficient and uncoordinated institutional capacities, undermines the ability of the United States Government to help prevent genocide or mass killings and offered recommendations for creating a government wide strategy;

Whereas the former Director of National Intelligence, in his annual threat assessment to Congress in February 2010, highlighted countries at risk of genocide and mass atrocities and stated, “Within the past 3 years, the Democratic Republic of Congo and Sudan all suffered mass killing episodes through violence starvation, or death in prison camps . . . Looking ahead over the next 5 years, a number of countries in Africa and Asia are at significant risk for a new outbreak of mass killing.”;

Whereas the Quadrennial Defense Review, released in February 2010, states that the Defense Department should be prepared to provide the President with options for “preventing human suffering due to mass atrocities or large-scale natural disasters abroad”;

Whereas the 2010 National Security Strategy notes, “The United States is committed to working with our allies, and to strengthening our own internal capabilities, in order to ensure that the United States and the international community are proactively engaged in a strategic effort to prevent mass atrocities and genocide. In the event that prevention fails, the United States will work both multilaterally and bilaterally to mobilize diplomatic, humanitarian, financial, and—in certain instances—military means to prevent and respond to genocide and mass atrocities.”;

Whereas genocide and mass atrocities often result from and contribute to instability and conflict, which can cross bor-

ders and exacerbate threats to international security and the national security of the United States;

Whereas the failure to prevent genocide and mass atrocities can lead to significant costs resulting from regional instability, refugee flows, peacekeeping, economic loss, and the challenges of post-conflict reconstruction and reconciliation; and

Whereas United States leadership and actions toward preventing and mitigating future genocides and mass atrocities can save human lives and help foster beneficial global partnerships: Now, therefore, be it

1       *Resolved by the Senate (the House of Representatives*  
2       *concurring)*, That the Senate—

3               (1) recommits to honor the memory of the vic-  
4       tims of the Holocaust as well as the victims of all  
5       past genocides and mass atrocities;

6               (2) affirms that it is in the national interest  
7       and aligned with the values of the United States to  
8       work vigorously with international partners to pre-  
9       vent and mitigate future genocides and mass atroc-  
10      ities;

11              (3) supports efforts made thus far by the Presi-  
12      dent, the Secretary of State, the Administrator of  
13      the United States Agency for International Develop-  
14      ment, the Secretary of Defense, and the Director of  
15      National Intelligence to improve the capacity of the  
16      United States Government to anticipate, prevent,

1 and address genocide and mass atrocities, including  
2 the establishment of an interagency policy committee  
3 and a National Security Council position dedicated  
4 to the prevention of genocide and other mass atroc-  
5 ities;

6 (4) urges the President—

7 (A) to direct relevant departments and  
8 agencies of the United States Government to  
9 review and evaluate existing capacities for an-  
10 ticipating, preventing, and responding to geno-  
11 cide and other mass atrocities, and to determine  
12 specific steps to coordinate and enhance those  
13 capacities; and

14 (B) to develop and communicate a whole of  
15 government approach and policy to anticipate,  
16 prevent, and mitigate acts of genocide and  
17 other mass atrocities;

18 (5) urges the Secretary of State, working close-  
19 ly with the Administrator of the United States  
20 Agency for International Development—

21 (A) to ensure that all relevant officers of  
22 the Foreign Service and particularly those de-  
23 ploying to areas undergoing significant conflict  
24 or considered to be at risk of significant con-  
25 flict, genocide, and other mass atrocities receive

1 appropriate advanced training in early warning  
2 and conflict prevention, mitigation, and resolu-  
3 tion;

4 (B) to determine appropriate leadership,  
5 structure, programs, and mechanisms within  
6 the Department of State and the United States  
7 Agency for International Development that can  
8 enhance efforts to prevent genocide and other  
9 mass atrocities; and

10 (C) to include relevant recommendations  
11 for enhancing civilian capacities to help prevent  
12 and mitigate genocide and mass atrocities in  
13 the upcoming Quadrennial Diplomacy and De-  
14 velopment Review;

15 (6) urges the Secretary of the Treasury, work-  
16 ing in consultation with the Secretary of State, to  
17 review how sanctions and other financial tools could  
18 be used against state and commercial actors found  
19 to be directly supporting or enabling genocides and  
20 mass atrocities;

21 (7) recognizes the importance of flexible contin-  
22 gency crisis funding to enable United States civilian  
23 agencies to respond quickly to help prevent and miti-  
24 gate crises that could lead to significant armed con-  
25 flict, genocide, and other mass atrocities;

1           (8) urges the Secretary of Defense to conduct  
2           an analysis of the doctrine, organization, training,  
3           material, leadership, personnel, and facilities re-  
4           quired to prevent and respond to genocide and mass  
5           atrocities;

6           (9) encourages the Secretary of State and Sec-  
7           retary of Defense to work with the relevant congres-  
8           sional committees to ensure that a priority goal of  
9           all United States security assistance and training is  
10          to support legitimate, accountable security forces  
11          committed to upholding the sovereign responsibility  
12          to protect civilian populations from violence, espe-  
13          cially genocide and other mass atrocities;

14          (10) supports efforts by the United States Gov-  
15          ernment to provide logistical, communications, and  
16          intelligence support, as appropriate, to assist multi-  
17          lateral diplomatic efforts and peace operations in  
18          preventing mass atrocities and protecting civilians;

19          (11) calls on other members of the international  
20          community to increase their support for multilateral  
21          diplomatic efforts and peace operations to more ef-  
22          fectively prevent mass atrocities and protect civil-  
23          ians;

24          (12) encourages the Secretary of State to work  
25          closely with regional and international organizations,



1 the United Nations Special Adviser for the Preven-  
2 tion of Genocide, and civil society experts to develop  
3 and expand multilateral mechanisms for early warn-  
4 ing, information sharing, and rapid response diplo-  
5 macy for the prevention of genocide and other mass  
6 atrocities; and

7 (13) commits to calling attention to areas at  
8 risk of genocide and other mass atrocities and ensur-  
9 ing that the United States Government has the tools  
10 and resources to enable its efforts to prevent geno-  
11 cide and mass atrocities.

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